

From: Sheldrake, Beth
Sent: Thursday, February 21, 2013 10:44 AM
To: Kelly Wright
Cc: 'JGrant@NordhausLaw.com'; Schweiss, Jon; Rochlin, Kevin; susanh@ida.net; Virginia Monsisco; Woods, Jim; Bellovary, Chris; Bill Bacon; Sheldrake, Beth; Solis, Ricardo
Subject: RE: Requested Information

Categories: Provided for LEPIC 1 to 11-19 2013

Hi, Kelly. As follow up to my message below, I just spoke with Kathy Tsing-Choy in our Grants Office and she said that EPA can process an amendment in the same amount of time as a new Cooperative Agreement and due to some of the accounting difficulties on the Tribes' existing EMF Cooperative Agreement, it would be her preference that this new work for the Independent Review be under a NEW Cooperative Agreement as you suggested.

We look forward to receiving your grant application paperwork.

Thanks!
Beth

Beth Sheldrake | Unit Manager
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p: 206.553.0220 | c: 206.890-1827 | sheldrake.beth@epa.gov

From: Sheldrake, Beth
Sent: Thursday, February 21, 2013 9:51 AM
To: 'Kelly Wright'
Cc: 'JGrant@NordhausLaw.com'; Schweis, Jon; Rochlin, Kevin; susanh@ida.net; Virginia Monsisco; Woods, Jim; Bellovary, Chris; Bill Bacon
Subject: RE: Requested Information

Hi, Kelly. As you know, Kevin Rochlin communicated with you on February 12th (see email copied below) that EPA is prepared to move forward to fund the Tribes' technical support for participation in the Independent Review based on the Work Plan provided on October 24th, 2012, the contractor cost break out provided on January 22nd, 2013, and the narrative statement provided on February 8th, 2013 regarding how your two proposed technical experts will support the Tribes.

EPA similarly considered whether it would be appropriate to initiate a separate Cooperative Agreement for this work or whether it would be more efficient to amend the current Cooperative Agreement which supports the Tribes' participation on the rest of the Eastern Michaud Flats Superfund site. We thought it would be faster and more efficient for the Tribes to amend the current cooperative agreement to add this additional task and funding. However, if the Tribes feel like a separate cooperative agreement would be better, EPA is fine with that. Please submit the necessary grant paperwork (either for a new or an amended cooperative agreement) to our Grants Office following the regular procedures as soon as possible and we will work on our end to expedite the grant award process so we can move forward with the Independent Review.

Please do not hesitate to contact me if you have any questions.

Thanks!

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Email from Kevin Rochlin to Kelly on February 12th.

Kelly,

EPA has received the revised narrative statement. It is what we were looking for. Our plan is to amend the current cooperative agreement to include the costs that the Tribes are seeking for their involvement.

Please submit an Amended FS 424 application for assistance for these costs. Copies go to Armina Nolan and Ricardo Solis. I think that you know the process better than I do, but let me know if you have any questions or need any assistance. We will get to work on it as soon as we receive the request.

Thanks.

Kevin Rochlin

From:

Kevin Rochlin, Project Manager
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From: Kelly Wright [<mailto:kwright@sbtribes.com>]

Sent: Thursday, February 21, 2013 9:16 AM

To: Sheldrake, Beth

Cc: 'JGrant@NordhausLaw.com'; Schweiss, Jon; Rochlin, Kevin; susanh@ida.net; Virginia Monsisco; Woods, Jim

Subject: RE: Requested Information

According to Jim's note below, EPA is waiting on the Tribes to submit something back to EPA. If this is the case, I would suggest that this Cooperative Agreement be a standalone document so it is much easier to track and document. I have submitted a detailed budget and even further documentation on the differences between the contractors.

Can someone please let me know what we are waiting on so if the Tribes are the hold up I can get it done and we can get working on this project.

Thanks

Kelly

Email message from Jim to Bill Bacon:

Bill,

It was good to talk to you today. I will plan to send out proposed dates that SBT may be available to meet with EPA. For clarity per our conversation and as you noted on 1.) SBT has provided a grant workplan In which is approved and awaits final paperwork from Kelly's office in order to secure the award. I see this as important and time sensitive so not to jeopardize any delay in funding. If for any reason SBT has concerns or needs further clarification Please respond to the EPA project lead. It would be good if this can be finalized soon.

Thanks,

~Jim

Jim Woods
Senior Tribal Policy Advisor
Office of the Executive

From: Sheldrake.Beth@epamail.epa.gov [<mailto:Sheldrake.Beth@epamail.epa.gov>]
Sent: Friday, February 08, 2013 4:07 PM
To: Kelly Wright
Cc: 'JGrant@NordhausLaw.com'; Schweiss.Jon@epamail.epa.gov; Rochlin.Kevin@epamail.epa.gov; susanh@ida.net; Virginia Monsisco
Subject: Re: Requested Information

Thanks so much, Kelly. Kevin and Jon are out of the office today, but we will quickly review this and get back with you regarding submitting the formal Cooperative Agreement paperwork. I'm not sure if you talked with Kevin or Jon about whether we would amend your existing Cooperative Agreement to add these tasks or whether we would initiate a new a stand alone Cooperative Agreement to support this specific effort. I don't know that we have even talked about that internally, but let me know your preference and we will see what we can do.

Thanks again and have a nice weekend.

Beth

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▼ Kelly Wright ---02/08/2013 02:34:42 PM---Beth, please find attached a copy of the requested information. As for the government to government

From: Kelly Wright <kwright@sbtribes.com>
To: Beth Sheldrake/R10/USEPA/US@EPA,
Cc: "'JGrant@NordhausLaw.com'" <JGrant@NordhausLaw.com>, Jon Schweiss/R10/USEPA/US@EPA, "susanh@ida.net" <susanh@ida.net>, Virginia Monsisco <vmonsisco@sbtribes.com>, Kevin Rochlin/R10/USEPA/US@EPA
Date: 02/08/2013 02:34 PM
Subject: Requested Information

Beth, please find attached a copy of the requested information.

As for the government to government consultation, we have been waiting until we have something on the independent study so it would be worth while. I will try to set something up for March if that works for Dennis.

Let me know.

Thanks

Kelly

From: Sheldrake.Beth@epamail.epa.gov [<mailto:Sheldrake.Beth@epamail.epa.gov>]
Sent: Friday, January 25, 2013 10:49 AM
To: Kelly Wright
Cc: 'JGrant@NordhausLaw.com'; Schweiss.Jon@epamail.epa.gov; susanh@ida.net; Virginia Monsisco; Rochlin.Kevin@epamail.epa.gov
Subject: Re: Contractor Costs rev 2.xlsx

Hi, Kelly. Thanks for your response.

Have you have been able to get any information about scheduling the government-to-government consultation. Dennis McLerran's office is really bugging me about the 'holds' I have placed on his calendar. I know it is probably really challenging to get input on the Tribal Council's schedule and availability, but any assistance you can provide here would be much appreciated.

With respect to your note accompanying the contractor costs spreadsheet, EPA Region 10 wasn't aware of the Tribes' desire to use David Riesman as your technical expert and we didn't make a conflict of interest determination. It is possible that someone else within EPA, potentially Mr. Riesman's Office of Research and Development Ethics Official, made a determination and we are looking into it.

As a reminder, we also still need a narrative description in the work plan of the respective roles and expertise of the two identified support contractors and how they will be assisting the Tribes with this process. With the documentation received to date, the unique services being provided to the Tribes by these two technical contractors is not clear.

We look forward to both hearing from you about scheduling the consultation and making progress on the work plan.

Thanks!

Beth

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▼ Kelly Wright ---01/22/2013 01:19:08 PM---Here is the modified version that was requested earlier. Only problem is that we had anticipated usi

From: Kelly Wright <kwright@sbtribes.com>
To: Beth Sheldrake/R10/USEPA/US@EPA, Jon Schweiss/R10/USEPA/US@EPA,
Cc: Virginia Monsisco <vmonsisco@sbtribes.com>, "susanh@ida.net" <susanh@ida.net>, "JGrant@NordhausLaw.com" <JGrant@NordhausLaw.com>
Date: 01/22/2013 01:19 PM
Subject: Contractor Costs rev 2.xlsx

Here is the modified version that was requested earlier. Only problem is that we had anticipated using David Riesman but since we was a retired EPA employee there was a conflict of interest. This cost was based on using him since he is already up to speed on the process. Another contractor will be significantly more expensive. We would like EPA to allow his involvement in the process if at all possible.

Thanks

Kelly [attachment "Contractor Costs rev 2.xlsx" deleted by Beth Sheldrake/R10/USEPA/US] [attachment "2013-02-08 SBT Narrative Statement regarding Technical Consultants - rev 2.pdf" deleted by Beth Sheldrake/R10/USEPA/US]